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1 A bill to be entitled
2 An act relating to the prevention of obesity; amending s.
3 381.0054, F.S.; requiring the Department of Health to
4 collaborate with other state agencies in developing
5 policies and strategies to prevent obesity which shall be
6 incorporated into agency programs; requiring the
7 department to advise health care practitioners regarding
8 morbidity, mortality, and costs associated with the
9 condition of being overweight or obese; requiring the
10 department to inform health care practitioners about
11 clinical best practices for obesity prevention and to
12 encourage practitioners to counsel their patients
13 regarding the adoption of healthy lifestyles; requiring
14 the Department of Health in partnership with the
15 Department of Education to award grants to local school
16 districts to implement a pilot program to promote healthy
17 eating habits, increase physical activity, and improve
18 fitness; specifying requirements for the pilot program;
19 requiring the Office of Program Policy Analysis and
20 Government Accountability to complete a report to
21 determine the program's effectiveness in changing body
22 mass index, increasing knowledge, and improving attitudes
23 and behaviors of students related to nutrition and
24 physical activity; requiring the Department of Health and
25 the program provider to seek partnerships with various
26 entities and organizations for assistance in providing
27 funding and resources; requiring school districts that
28 participate in the pilot program to collect certain
29 information that is identified by the Office of Program

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30 Policy Analysis and Government Accountability for the
31 evaluation of the program's effectiveness; providing an
32 appropriation; providing an effective date.

33
34 WHEREAS, in 2003, 14 percent of high school students were at
35 risk of being overweight and an additional 12.4 percent were
36 overweight, and

37 WHEREAS, in 2003, more than 50 percent of high school
38 students did not participate in any physical education at school,
39 and

40 WHEREAS, in 2003, only approximately 20.7 percent of high
41 school students in this state ate five or more servings of fruits
42 or vegetables each day in a 7-day period, and

43 WHEREAS, in 2003, 42.7 percent of high school students
44 watched television for 3 or more hours on an average school day,
45 and

46 WHEREAS, in 2003, 39.9 percent of middle school students did
47 not go to physical education classes at all during an average
48 school week, and

49 WHEREAS, in 2003, on an average school day, 45.3 percent of
50 middle school students watched television for 3 or more hours,
51 18.2 percent used the computer for fun for 3 or more hours, and
52 14.8 percent reported playing video games for 3 or more hours,
53 and

54 WHEREAS, in 2003, only 11.3 percent of middle school
55 students reported eating five or more servings of fruits and
56 vegetables per day, and

57 WHEREAS, approximately 60 percent of overweight children
58 have at least one risk factor for cardiovascular disease such as

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high blood pressure or high cholesterol, and about 25 percent of overweight children have two or more risk factors, and

WHEREAS, 25 percent of adults and children are obese and 15 million Americans are morbidly obese, and

WHEREAS, obesity as a cause of death is preventable and 20,000 Floridians die annually from obesity-related diseases, and

WHEREAS, obesity-related medical expenditures for adults in this state total more than \$3.9 billion yearly, with over half of the costs being financed by Medicare and Medicaid, NOW, THEREFORE,

Be It Enacted by the Legislature of the State of Florida:

Section 1. Subsection (1) of section 381.0054, Florida Statutes, is amended to read:

381.0054 Healthy lifestyles promotion.--

(1) The Department of Health shall promote healthy lifestyles to reduce the prevalence of excess weight gain ~~overweight~~ and obesity in Florida by implementing appropriate physical activity and nutrition programs that are directed towards ~~target~~ all Floridians by:

(a) Using all appropriate media to promote maximum public awareness of the latest research on healthy lifestyles and chronic diseases and disseminating relevant information through a statewide clearinghouse relating to wellness, physical activity, and nutrition and their impact on chronic diseases and disabling conditions.

(b) Providing technical assistance, training, and resources on healthy lifestyles and chronic diseases to the public, county

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88 health departments, health care providers, school districts, and
89 other persons or entities, including faith-based organizations,
90 that request such assistance to promote physical activity,
91 nutrition, and healthy lifestyle programs.

92 (c) Developing, implementing, and using all available
93 research methods to collect data, including, but not limited to,
94 population-specific data, and track the incidence and effects of
95 weight gain, obesity, and related chronic diseases. The
96 department shall include an evaluation and data collection
97 component in all programs as appropriate.

98 (d) Partnering with the Department of Education, local
99 communities, school districts, and other entities to encourage
100 Florida schools to promote activities during and after school to
101 help students meet a minimum goal of 60 minutes of activity per
102 day.

103 (e) Partnering with the Department of Education, school
104 districts, and the Florida Sports Foundation to develop a program
105 that recognizes schools whose students demonstrate excellent
106 physical fitness or fitness improvement.

107 (f) Collaborating with other state agencies to develop
108 policies and strategies for preventing obesity, which shall be
109 incorporated into programs administered by each agency and shall
110 include promoting healthy lifestyles of employees of each agency.

111 (g) Advising, in accordance with s. 456.081, health care
112 practitioners licensed in this state regarding the morbidity,
113 mortality, and costs associated with the condition of being
114 overweight or obese, informing such practitioners of clinical
115 best practices for preventing obesity, and encouraging
116 practitioners to counsel their patients regarding the adoption of

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117 healthy lifestyles.

118 (h) ~~(f)~~ Maximizing all local, state, and federal funding
119 sources, including grants, public-private partnerships, and other
120 mechanisms, to strengthen the department's current physical
121 activity and nutrition programs and to enhance similar county
122 health department programs.

123 Section 2. (1) The Department of Health in partnership
124 with the Department of Education shall award grants to local
125 school districts to implement a 3-year pilot program that is
126 directed towards students in the 4th and 5th grades in 10
127 geographically and demographically diverse counties. The pilot
128 program must:

129 (a) Have a program provider. The program provider shall:

130 1. Have a prevention-education program currently in use
131 throughout the school districts in this state in order to receive
132 funds under the grants provided by the pilot program;

133 2. Promote the "Fresh 2-U" campaign by the Department of
134 Agriculture and Consumer Services;

135 3. Have an established partnership with the Produce for
136 Better Health Foundation and promote its "5 A Day the Color Way"
137 campaign; and

138 4. Work with school districts to use multimedia methods and
139 awareness events and promote healthful nutrition and physical
140 activity opportunities throughout the school year targeting
141 students, staff, parents, and caregivers.

142 (b) Establish a school-based program in elementary schools
143 for purposes of promoting healthy eating habits, increasing
144 physical activity, and improving fitness, and include a formal
145 curriculum on physical activity and nutrition that is consistent

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146 with recommendations from the Governor's Task Force on the
147 Obesity Epidemic, February 2004.

148 (c) Provide education and professional-development training
149 to teachers on how to implement the program to model physical
150 activity and healthy eating behavior and on the importance of
151 building positive physical habits during school and away from
152 school.

153 (d) Empower teachers to facilitate educational
154 opportunities to support and sustain lifelong physical activity
155 and healthy eating.

156 (e) Incorporate physical activity and nutrition education
157 into core classroom subject areas and various curricula,
158 including, but not limited to, math, science, home economics, and
159 language arts, and must be linked to the Sunshine State
160 Standards.

161 (f) Integrate nutrition and physical activities into other
162 educational opportunities both inside and outside the classroom.
163 Teachers, administrators, school food service personnel, other
164 school personnel, and parents and students shall collaborate on
165 creating a positive physical activity and healthy nutrition
166 environment. The program must also include resources and
167 activities that engage and involve parents and caregivers.

168 (g) Provide resources and education for core classroom
169 teachers to promote collaboration between the physical education
170 and core classroom teachers and create a comprehensive
171 educational experience for the students to develop the skills,
172 knowledge, and attitudes to make healthy decisions using critical
173 thinking skills throughout their lives, while enhancing students'
174 reading and academic skills.

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175 (h) Provide resources that are sustainable and provide
176 open, web-based resources to teachers and students across the
177 state.

178 (i) Be compliant with applicable state education standards.

179 (j) Have nutrition-education activities that are developed
180 in partnership with the Produce for Better Health Foundation.

181 (k) Be evidence based and research based and have had
182 results published in a peer-reviewed journal demonstrating a
183 statistically significant reduction in body mass index and an
184 increase in fruit and vegetable consumption and levels of
185 physical activity among participating students.

186 (l) Hire a statewide coordinator to provide ongoing support
187 for teachers and staff who implement the program.

188 (2) At the completion of the 3-year pilot program, the
189 Office of Program Policy Analysis and Government Accountability
190 shall conduct a performance evaluation to determine the program's
191 effectiveness in changing body mass index, increasing knowledge,
192 and improving attitudes and behaviors of students related to
193 nutrition and physical activity. Following the completion of the
194 2006-2007 and 2007-2008 school years, the Office of Program
195 Policy Analysis and Government Accountability shall submit
196 interim reports to the President of the Senate and the Speaker of
197 the House of Representatives.

198 (3) To be eligible for the grant, school districts must
199 agree to collect information that the Office of Program Policy
200 Analysis and Government Accountability needs to conduct its
201 evaluations. This information will facilitate the Office of
202 Program Policy Analysis and Government Accountability's
203 evaluation of the pilot program's effectiveness in changing body

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204 mass index and increasing knowledge and improving attitudes and
205 behaviors related to nutrition and physical activity. The Office
206 of Program Policy Analysis and Government Accountability must
207 supply a form for participating school districts to record the
208 information and identify the information that must be collected
209 for the evaluation. The school district must collect baseline and
210 end-of-school-year information concerning the participating
211 students.

212 (4) In addition to working with the Department of Education
213 and local school districts, the Department of Health, working
214 together with the program provider, shall seek partnerships with
215 local businesses, industries, corporations, philanthropic
216 foundations, and other organizations and shall seek state and
217 federal grant opportunities that may assist in providing funding
218 or resources to schools.

219 Section 3. The sum of \$ _____ is appropriated from the
220 General Revenue Fund to the Department of Health for the 2006-
221 2007 fiscal year to implement the provisions of s. 381.0054,
222 Florida Statutes.

223 Section 4. This act shall take effect July 1, 2006.